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901 S. Vienna St.
Ruston, La.
71275
Phone (318) 255-5763
Fax (318) 254-8004

Loraine Howard Education Center

July 27, 2012

Howard School
c/o Jennifer Blake
901 Deville Drive
Ruston, LA 71270

Appellant Name: Howard School
Applicant Name: Howard School
Service Provider: Business Technology Group (BTG)
Applicant BEN/Service Identification No.: (SPIN) BEN 232778, SPIN 19350000878060
CC.: Docket No.: 02-06
Request for Review

Received & Inspected

AUG - 6 2012

FCC Mail Room

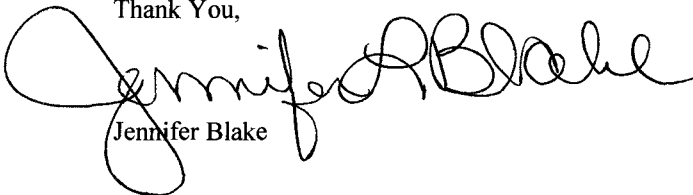
This letter is in regards to the denial of appeal from USAC dated June 4th 2012. We have been denied funding for 2011-2012 basic maintenance of internal connections. According to USAC we were denied due to the "violation of the 28 day competitive bidding requirements."

According to the USAC representatives we spoke with, the wrong form 470 application number was entered on the form 471 for the 2011-2012 when filling out the appeals form. Our original form 470 from 2009 followed the same guidelines that were used for the subsequent years and was in fact approved. We have since learned from USAC (reference number 22-396282) that we should have referenced form 470 number: 866430000719755. We were assured by the representative that if we were to reference this correct form 470 in this appeals process to the FCC that we should be approved.


Please see the attached documentation that supports our statements.

1. Copy of original Contract
2. Form 470 from 2009
3. Copy of the administrative decisions on the appeal

Thank You,


Jennifer Blake

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106 W Mississippi Ave
Ruston, LA 71270
(318) 251-8993 (Voice)
(318) 251-8959 (Fax)
www.btg-llc.com

Contract #: 02032009

Basic Maintenance of Internal Connections Contract

Vendor

Business Technology Group, LLC "BTG"
106 W. Mississippi Avenue
2nd Floor
Ruston, LA 71270

Client

Howard School "Howard"
901 South Vienna Street
Ruston, LA 71270

10 Hour Monthly Support (Includes best effort response)

10 Hours Per Month Hours to be used on any eligible items listed below 60 Month Service Contract	\$ 60 /month After E-Rate Discount (90%) \$ 600 /month Before E-Rate Discount (90%)
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Basic Maintenance of Internal Connections

Maintenance and Technical Support of Internal Connections

- Repair and upkeep of eligible hardware
- Wire and cable maintenance
- Basic Technical Support
- Configuration changes



106 W Mississippi Ave
Ruston, LA 71270
(318) 251-8993 (Voice)
(318) 251-8959 (Fax)
www.btg-llc.com

Contract #: 02032009

Examples of service that is covered:

Basic Maintenance for Network Data/Internet Equipment & Connections

- Troubleshoot LAN/WAN and other network related problems
- Configuration of internal connections including LAN and WAN devices
- Perform general LAN/WAN maintenance

Install, troubleshoot, maintain and integrate the following type of eligible hardware and software products:

- Wired Routers
- Switches
- Routed Networks
- Static and Dynamic Routes Configuration
- Ethernet Topology
- CISCO products
- Microsoft Windows 2003 Active Directory
- Microsoft Windows Operating System (on eligible servers – not desktops)
- Servers – DHCP, Domain Name Server, E-mail, Terminal Server and Web Server
- Network Troubleshooting
- Voice Gateways
- UPS (Battery Backup) connected to eligible hardware
- Wireless Routers
- Distance Learning Equipment
- E-mail software (Server Based)

Basic Maintenance for Internal Cable & Connectivity

- Maintain cable and wiring connectivity for phone and data connections
- Installing, repairing and terminating category 5E and multimode fiber cables

Services will cover the following schools:

Howard School - 232778



106 W Mississippi Ave
Ruston, LA 71270
(318) 251-8993 (Voice)
(318) 251-8959 (Fax)
www.btg-llc.com

Contract #: 02032009

Support Contract Terms:

- Any hours over the initial 10 hours in a month (if no credit hours exist) will be billed at \$ 90 /hour, unless other arrangements are made at that time.
- Support will be provided by phone, e-mail, remotely over secure VPN or encrypted Internet connection, or onsite.
- There will be 30 minute minimums for phone, e-mail, and remote access labor and 1 hour minimums for onsite labor.
- BTG will have a qualified professional respond to support calls by next business day (best effort)
- Howard agrees not to hire or attempt to hire any BTG employees during the period specified in this agreement unless granted written permission by all BTG Managing Members.

Additional terms:

- Contract period is from July 1st 2009 to June 30th 2014.
- This contract is contingent on Howard receiving funding from E-Rates for the service covered in this service contract.
- Contract costs will be paid in full no more than 30 days after invoice is received.
- Should Howard choose to stop using BTG services during the contract period Howard will still be liable for remaining contract balance.
- BTG will not be held liable for any costs that Howard incurs due to downtime of information systems, data loss or Internet content filtering related problems.
- Hours worked outside normal business hours (8am – 5pm, Monday through Friday) and Holidays will be charged at 1.5 times the normal hours or rate, unless other arrangements are made.



106 W Mississippi Ave
Ruston, LA 71270
(318) 251-8993 (Voice)
(318) 251-8959 (Fax)
www.btg-llc.com

Contract #: 02032009

I, Terrel J Deville (Vendor Auth. Rep - Print Name), have read and agree with the entirety of this document and consider the terms of this agreement legally binding.

Vendor "BTG" Authorized Rep Signature

2-4-09

Date Signed

Terrel J. Deville, President/CEO.

Print Name & title/position

I, Kitwana B McTyer (Witness for BTG - Print Name) witnessed the above authorized representatives of BTG sign this document and would testify to this fact in a court of law if needed.

Witness Signature

2-4-09

Date Signed

KITWANA B MCTYER Print Name & title/position
DIRECTOR OF PERFORMANCE
IMPROVEMENT



106 W Mississippi Ave
Ruston, LA 71270
(318) 251-8993 (Voice)
(318) 251-8959 (Fax)
www.btg-llc.com

Contract #: 02032009

I, ARON Paul (Vendor Auth. Rep - Print Name), have read and agree with the
entirety of this document and consider the terms of this agreement legally binding.

A handwritten signature in black ink, appearing to be "ARON Paul", written over a horizontal line.

Vendor "BTG" Authorized Rep Signature

02/04/09

Date Signed

ARON Paul / Partner

Print Name & title/position

I, Misty Brown (Witness for BTG - Print Name) witnessed the above authorized
representatives of BTG sign this document and would testify to this fact in a court of law if needed.

A handwritten signature in black ink, appearing to be "Misty Brown", written over a horizontal line.

Witness Signature

2/4/09

Date Signed

Misty Brown / Adm. Assist. Print Name & title/position



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

June 04, 2012

Jennifer Blake
Howard School
901 South Vienna Street
Ruston, LA 71270

Received & Inspected
AUG -6 2012
FCC Mail Room

Re: Applicant Name: HOWARD SCHOOL
Billed Entity Number: 232778
Form 471 Application Number: 797059
Funding Request Number(s): 2157547
Your Correspondence Dated: May 04, 2012

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2011 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2157547
Decision on Appeal: **Denied**
Explanation:

- USAC records indicate that this is a request for a contractual service. The school cited establishing FCC Form 470: 193570000878060 with an Allowable Contract Date (ACD) of January 14, 2011. The record also shows that the Contract Award Date is February 4, 2009. Since the Contract Award Date precedes the ACD, Howard School is in violation of this support mechanisms 28-day competitive bidding requirement. During the Program Integrity Assurance (PIA) review process you were asked to confirm the correct FCC Form 470 for the above funding request and provide the contract for the same. Your response confirmed that the FCC Form 470 listed above was the correct FCC Form 470. USAC informed you that the FRN would be denied because the contract was signed prior to the Allowable Contract Date on the cited establishing FCC Form 470: 193570000878060.

Additionally, the record shows that Program Compliance contacted you and made you aware of the program violation. You were requested to verify if the referenced Form 470 was the establishing FCC Form 470 for these services and were also given an opportunity to cite an alternate FCC Form 470 in order to cure the program's violation. In an email dated May 29, 2012, you stated that the FCC Form 470 establishing the bidding requirement for the requested services is Form 470 application number 190170000804560. However, the information provided on appeal does not cure the initial violation, nor does it demonstrate that USAC erred in its initial determination. Consequently, your appeal is denied.

- FCC rules require that except under limited circumstances, an eligible school, library or consortium that includes an eligible school or library shall seek competitive bids for all services eligible for support. *See* 47 C.F.R. sec. 54.503(b). To help ensure that applicants receive the lowest pre-discount price from the vendors, applicants are required to carefully consider all bids received before entering into an agreement with a selected vendor and submitting an FCC Form 471. *See* 47 C.F.R. secs. 54.503(b) and (c), 54.511(a) and (c). Applicants are required to file a new FCC Form 470 in the current application period if they are applying for discounted services for which a new contract is sought. If an applicant has an existing multi-year contract they may be exempt from the competitive bid requirements set forth. *See* 47 C.F.R. secs. 54.511(c) and (d). However, if an applicant has a contract with voluntary extensions for which it has filed an FCC Form 470, it cannot extend or renew the contract beyond its original expiration date without posting a new FCC Form 470 and considering all bids received, unless voluntary extensions were indicated in Block 2 of the FCC Form 470 or in the RFP. *See* 47 C.F.R. secs. 54.511(c) and (d).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



FORM 470 RECEIPT NOTIFICATION LETTER
(Funding Year 2009: 07/01/2009-06/30/2010)

January 15, 2009

Jennifer Blake
HOWARD SCHOOL
901 SOUTH VIENNA STREET
Ruston, LA 71270

Re: Form 470 Application Number: 866430000719755
Entity Number: 232778
Applicant's Form Identifier: 5516
Date Form 470 Posted: 01/06/2009
Allowable Contract Date: 02/03/2009
Corrections Due by: 02/04/2009

This is your notification that the above Form 470, "Description of Services Requested and Certification Form," and related Certification have been received by USAC.

Attached to this RNL is a Report summarizing the information you provided to USAC for the above Form 470, application number 866430000719755. Also included are advisories to assist you in appropriate use of the Form 470 to establish funding requests on your Form 471.

It is important that you review this Report now to make sure the products and services you require have been correctly posted and, if necessary, take any appropriate corrective action as soon as possible. You are allowed to correct certain errors on your form but not others. The Report indicates if a correction to a field is allowed.

- If a correction to a field is allowed, follow the instructions below to submit your correction to USAC.
- If corrections are not allowed, you must file a new Form 470.

Please note that this letter provides the notice required by the Bishop Perry Order (FCC 06-54, released 5/19/2006), permitting you to review and make allowable corrections to your Form 470 by 02/04/2009.

To make an allowable correction, please do the following:

- Verify that the allowed correction can be made through the RNL correction process. Any non-allowable corrections submitted through the RNL correction process will not be made.
- Make a copy of your report and indicate on the copy any allowable corrections in the spaces indicated.
- Sign the copy and include your name, title, contact information, and date.
- Submit the copy using the guidance posted on the Form 470 RNL page on our website at www.usac.org/sl/applicants/step03/form470-filing-receipt-notification-letter.aspx.
- Corrections must be submitted no later than 02/04/2009.
- Retain a copy of the RNL and any submitted corrections.
- To determine what corrections are allowable and why review of this Report is important to you, see the "List of correctable ministerial and clerical errors" posted at www.usac.org/_res/documents/sl/pdf/List-of-Correctable-Ministerial-and-Clerical-Errors.pdf.

GENERAL REMINDERS

- Use the Form 470 Application Number shown above in any Form 471, Block 5 Funding Request that cites this Form 470. Share this number with those schools and/or libraries who may wish to cite this Form 470 in their Form(s) 471.
- Follow all applicable state and local procurement laws and be prepared to demonstrate compliance with these laws.
- Include appropriate contingencies in contracts for any or all of the requested services in the event of modification or denial of funding.
- See "Guide to USAC Letter Reports" posted in Reference Area of our website at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx>.
- Watch our website for information about the Form 471 filing window.
- You can view your entire Form 470 by clicking on the "Search Posted" button in the Apply Online area of the website.
- Use the print feature on your browser to print any portion of your Form 470 or the entire application as posted.

COMPLETE PROGRAM INFORMATION is posted on our website. You may also contact our Client Service Bureau using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736 or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

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Form 470 866430000719755 RNL Report
Funding Year 2009

THIS REPORT DOES NOT CONTAIN ANY DECISIONS CONCERNING YOUR REQUESTS FOR DISCOUNTS.
USE THIS REPORT TO LIST OR INDICATE CORRECTIONS YOU WISH TO MAKE TO YOUR FORM 470.

Allowable Contract Date: 02/03/2009

This is the earliest date to execute contracts for contracted services, select your service provider(s) (including tariff/month-to-month service providers), and sign and submit your FCC Form 471, "Services Ordered and Certification Form" based on this Form 470. Any funding request with earlier dates for these actions that cite this Form 470 as the establishing Form 470 will result in denial.

Corrections Below Submitted by:

Signature: _____ Date: _____

Printed Name: _____

Title: _____

Email, Fax Number or Phone Number: _____

Item #	Data Entered on FCC Form 470	Make Corrections Here
1. Name of applicant	HOWARD SCHOOL	
3. Entity Number	232778	
6a. Contact Person's Name	Jennifer Blake	
6c. Contact Telephone	318-255-5763	
6d. Contact Fax	318-254-8004	
6e. Contact Email	jblake034@bellsouth.net	
7a. Tariffed or Month-to-Month	Yes	Corrections not allowed
7b. New Written Contract	Yes	Corrections not allowed
Multi-year contract	Yes	Corrections not allowed
Voluntary extensions	No	Corrections not allowed
7c. Contract signed on or before 7/10/1997	No	Corrections not allowed
<ul style="list-style-type: none">- Although corrections to Items 7a and 7b are not allowed, your choice of services on the Form 471 is not limited by the choices you indicate for these items.- You must post a new Form 470 each funding year for tariff or month-to-month services.- Item 7c should be checked ONLY if your contract was signed on or before 7/10/1997.		
8. Telecommunications Service	Posted - No RFP	Corrections not allowed
9. Internet Access	Posted - No RFP	Corrections not allowed
10. Internal Connections Other than Basic Maintenance	Not Posted	Corrections not allowed
11. Basic Maintenance of Internal Connections	Posted - RFP available	Corrections not allowed
<ul style="list-style-type: none">- You cannot seek discounts for products or services in a Category of Service on the Form 471 if those services in those categories were not indicated on a Form 470. You must post a new Form 470 and wait the required 28 days to correct this.- If you indicated in this Form 470 that an RFP is available for a service but one is not, your funding request will be denied. You must post a new Form 470 and wait the required 28 days to correct this.		

Form 470 866430000719755 RNL Report
Funding Year 2009

Item #	Data Entered on FCC Form 470	Make Corrections Here
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12. Technical Contact Name	Jennifer Blake	
Telephone Number	318-255-5763	
Fax Number	318-254-8004	
Email Address	jblake034@bellsouth.net	

16c. Number of Entities in School District, N/A
Library or Consortium
- Corrections to the number of eligible entities is allowable as long as the new information is not a significant departure from the scope of the original request and is due to clerical error.

17. Billed Entities
232778 - HOWARD SCHOOL

- Billed Entities other than the entity listed in Item 3 of this form must be listed in Item 17 except as indicated on the form.